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JUL 03 2006

Practitioner's Docket No. 2003DE428

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Dirk LEINWEBER

Application No.: 10 / 559,719

Group No.:

Filed: 12/5/2005

Examiner:

For: ALKOXYLATED, CROSS-LINKED POLYGLYCEROLS AND USE THEREOF AS
BIODEGRADABLE DEMULSIFIERMail Stop ~~Petition~~ PCT

Commissioner for Patents, Office of PCT Legal Administration

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION FOR CHANGE IN NAME OF INVENTOR

Under 37 CFR 1.182

NOTE: "In cases where an inventor's name has been changed after the application has been filed and the inventor desires to change his or her name on the application, he or she must submit a petition under 37 CFR 1.182. The petition should be directed to the attention of the Office of Petitions. The petition must include an appropriate petition fee and an affidavit signed with both names and setting forth the procedure whereby the change of name was effected, or a certified copy of the court order." M.P.E.P., § 605.04(e), 7th Edition.

1. The name of the inventor HEIDI GRUNDNER
HEIDI RAUSCH
has been changed to _____
and it is hereby petitioned that the change be made on the records of the PTO for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O.
Box 1450, Alexandria, VA 22313-1450

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10 *

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☒ facsimile transmitted to the Patent and Trademark Office, (571) 273-8300Date: 6-13-06Signature 

Vicki L. Sgro

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

(Petition for Change in Name of Inventor [9-59]—page 1 of 2)

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2. An affidavit is attached which is signed by both names of the inventor and which
- ☒ sets forth the procedure by which the change of name was effected, or
 - ☐ a certified copy of the court order.

3. Fee

The fee required by 37 C.F.R. § 1.17(f) is to be paid as follows:

- ☐ Enclosed is a check for \$400.00.
- ☐ Charge Account _____ for any fee deficiency.
- ☒ Charge Account 03-2060 the sum of \$400.00.

Reg. No.: 36,277

Tel. No.: (704) 331-7156

Customer No.: 25255


SIGNATURE OF PRACTITIONER

Richard P. Silverman

(type or print name of practitioner)

Clariant Corporation

P.O. Address

4000 Monroe Road

Charlotte, NC 28205

(Petition for Change in Name of Inventor [9-59] - page 2 of 2)

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Application No. 10/559,719 Filed 12/5/2005 Atty Docket No. 2003DE428

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AFFIDAVIT IN SUPPORT OF PETITION TO
CHANGE NAME OF INVENTOR

This affidavit is made in support of the accompanying **PETITION TO CHANGE NAME OF INVENTOR**.

This affidavit is signed by the inventor by his/her prior name and is also signed by the inventor by his/her present (new) name.

☒ The procedure by which the name change was effected was:

Name Change as a result of marriage.

or

☐ A certified copy of the court order is attached.

HEIDI GRUNDNER

(typewritten inventor's prior name)

Signature of inventor (prior name)

HEIDI RAUSCH

(typewritten inventor's present (new) name)

Signature of inventor — present (new) name

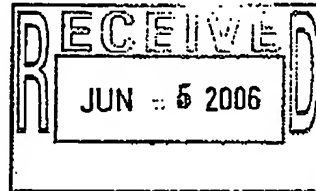
(Affidavit in Support of Petition to Change Name of Inventor [9-80]—page 1 of 1)



30 MAY 2006 2mo - Response July 30, 2006
UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Richard P. Silverman
Clariant Corporation
Intellectual Property Law Department
4000 Monroe Road
Charlotte, NC 28205



In re Application of
Leinweber, et al.
Application No.: 10/559,719
PCT No.: PCT/EP04/05587
Int. Filing Date: 25 May 2004
Attorney's Docket No.: 2003DE428
For: ALKOXYLATED, CROSS-LINKED
POLYGLYCEROLS AND USE THEREOF AS
BIODEGRADABLE DEMULSIFIER

DECISION

This application comes before the PCT Legal Office for matters arising under 35 U.S.C. 371.

BACKGROUND

On 25 May 2004, applicants filed international application PCT/EP04/05587, which claimed priority of an earlier German application filed 04 June 2003. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 16 December 2004. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 05 December 2005 (04 December 2005 fell on a Sunday, so applicants had until the next business day).

On 05 December 2005, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, a translation of the application, a declaration and the requisite basic national fee as required by 35 U.S.C. 371(c). This application was assigned U.S. serial number 10/559,719.

DISCUSSION

A review of the application file reveals that the family name of one of the applicants is listed in the international application as "Grundner" while the family name is listed in the declaration as "Rausch." In that this is clearly more than a mere typographical error or phonetic misspelling of applicant's given name, a proper petition under 37 CFR 1.182 is required in order

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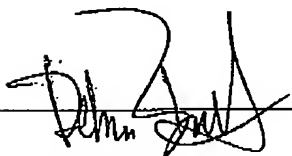
to resolve this matter. Such a petition must be accompanied by the requisite petition fee of \$400 as well as statements from the inventor and any other person having firsthand knowledge of the error. These statements must set forth the specific circumstances as to how and when the error was made and discovered, and must also set forth that the mistake was an inadvertent error without deceptive intent.

CONCLUSION

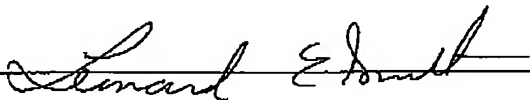
A proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Petition Under 37 CFR 1.182," and must include the requisite petition fee and an acceptable explanation of the facts as discussed above. Failure to file a proper response in a timely manner will result in ABANDONMENT of the application.

Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



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